

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

Chapter 11

BENEVIS CORP., *et al.*,

Case No. 20-33918 (MI)

Debtors

(Jointly Administered)

**CERTIFICATE OF NO OBJECTION TO  
MOTION TO WITHDRAW PROOFS OF CLAIM  
NUMBERS 87 AND 89 THROUGH 95 WITH PREJUDICE PURSUANT TO  
FEDERAL RULE OF BANKRUPTCY PROCEDURE 3006**

On June 2, 2022, eight Personal Injury Claimants (the “Personal Injury Claimants”), by counsel, pursuant to Title 11 of the United States Code (the “Bankruptcy Code”), Rule 3006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the Local Rules of this Court (the “Local Rules”), moved this Court to permit these creditors to withdraw, with prejudice to re-filing, their *Proofs of Claim, Numbers 87, 89, 90, 91, 92, 93, 94, and 95* (together, the “Proofs of Claim”) . [ECF Number 685]. The Personal Injury Claimants include Sidney Via; E.L., a minor, by and through her father, Eric Livesay; Jason Elliott; K.B., a minor, by and through her mother, Mesha Brown; M.H., a minor, by and through her mother, Brittany Richards; Shermicia Becks; A.J., a minor, by and through her mother, Shamia Johnson; and D.S., a minor, by and through her mother, Shamia Johnson.

The undersigned certifies that, as of September 2, 2022, no objection, opposition, or other responsive pleading to the Motion to Withdraw Proofs of Claims has been filed with this Court or received by undersigned counsel. Objections to the Motion to Withdraw were to be filed and served no later than June 23, 2022.

It is hereby respectfully requested that the proposed order included with the Motion to Withdraw Proofs of Claims [ECF Number 685, at 6–7] be entered, thereby withdrawing *Proofs of Claims Numbers 87, 89, 90, 91, 92, 93, 94 and 95* in all respects and with prejudice to re-filing in these bankruptcy cases. A copy of same is attached to this Certificate as well.

Respectfully submitted,

SIDNEY VIA,

E.L., A MINOR, BY AND THROUGH HER  
FATHER, ERIC LIVESAY;

JASON ELLIOTT,

K.B., A MINOR, BY AND THROUGH HER  
MOTHER, MESA BROWN;

M.H., A MINOR, BY AND THROUGH HER  
MOTHER, BRITTANY RICHARDS;

SHERMICA BECKS;

A.J., A MINOR, BY AND THROUGH HER  
MOTHER, SHAMIA JOHNSON; and

D.S., A MINOR, BY AND THROUGH HER  
MOTHER, SHAMIA JOHNSON

By: /s/ John P. Fishwick, Jr.  
Counsel

John P. Fishwick, Jr. (VSB No. 23285)  
John.Fishwick@fishwickandassociates.com  
Fishwick & Associates PLC  
30 Franklin Road, Suite 700  
Roanoke, Virginia 24011  
(540) 345-5890 (telephone)  
(540) 345-5789 (facsimile)

**CERTIFICATE OF SERVICE**

I, John P. Fishwick, Jr., do hereby certify that the foregoing Certificate of No Objection to Motion to Withdraw Proofs of Claim Numbers 87, 89-95 with Prejudice Pursuant to Federal Rule of Bankruptcy Procedure 3006 was filed using the CM/ECF system which will send electronic notification of filing to all counsel of record.

On this 1<sup>st</sup> day of September, 2022.

/s/John P. Fishwick, Jr.  
Fishwick & Associates PLC  
30 Franklin Road, Suite 700  
Roanoke, Virginia 24011  
(540) 345-5890 (telephone)  
(540) 345-5789 (facsimile)